

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Joseph C. Chan, et al.

Serial No.: 09/758,484

Filed: January 10, 2001

For: METHOD AND APPARATUS FOR VARIABLE  
FRAME SIZE RADIOLINK PROTOCOL BASED  
ON CHANNEL CONDITION ESTIMATION

Examiner: Unassigned

Art Unit: 2661

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231 on

June 29, 2001

(Date of Deposit)

Beverly Kehoe Shea

(Printed name)

Beverly Kehoe Shea

(Signature)

6/29/01  
(Date)

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**(FILING DATE GRANTED)**

Sir:

In response to the Notice to File Missing parts of Application (Filing Date Granted) mailed May 2, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application (two duplicate copies separately executed by Joseph C. Chan and Chinh Tran);
- (2) an Amendment and Petition under 37 C.F. R. §1.47(b) to correct a defective Declaration and Power of Attorney that is lacking the signature of co-inventor Chi-ping Nee, Declaration of Maria McCormack Sobrino, and a check in the amount of \$130.00 in accordance with 37 C.F.R. §1.17(i);
- (3) a check in the amount of \$130.00 in payment of the surcharge of 37 C.F.R. §1.16(e); and
- (4) a copy of the Notice to File Missing Parts of Application.

If any additional fee is required, please charge Deposit Account No. 02-2666. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: June 29, 2001

Maria McCormack Sobrino  
Maria McCormack Sobrino (Reg. No. 31,639)

12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026 (408) 720-8598



# FIRST CLASS CERTIFICATE OF MAILING

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on June 29, 2001

Date of Deposit

Beverly Kehoe Shea

Name of Person Mailing Correspondence

Beverly Kehoe Shea

Signature

6/29/01

Date

Serial/Patent No.: 09/758,484

Filing/Issue Date: January 10, 2001

Client: Sony Electronics, Inc.

Title: Method and Apparatus for Variable Frame Size Radiolink Protocol Based on Channel Condition Estimation

BSTZ File No.: 080398.P347

Atty/Secty Initials: MES/FMA/bks

Date Mailed: June 29, 2001

Docket Due Date: July 2, 2001

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☐ Amendment/Response (\_\_\_\_ pgs.)
- ☐ Appeal Brief (\_\_\_\_ pgs.) (in triplicate)
- ☐ Application - Utility (\_\_\_\_ pgs., with cover and abstract)
- ☐ Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) Divisional (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)
- ☐ Application - Rule 1.53(d) CPA Transmittal (\_\_\_\_ pgs.)
- ☐ Application - Design (\_\_\_\_ pgs.)
- ☐ Application - PCT (\_\_\_\_ pgs.)
- ☐ Application - Provisional (\_\_\_\_ pgs.)
- ☐ Assignment and Cover Sheet

☒ Certificate of Mailing **signed copies**

☒ Declaration & POA 10 pgs. 2 Indiv./

☐ Disclosure Docs & Orig & Copy of Inventions Signed Letter (\_\_\_\_ pgs.)

☐ Drawings: \_\_\_\_ # of sheets includes \_\_\_\_ figures

☐ Express Mail No.: \_\_\_\_\_

☐ \_\_\_\_ Month(s) Extension of Time

☐ Information Disclosure Statement & PTO 449 (\_\_\_\_ pgs.)

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for Extension of Time

☐ Petition for \_\_\_\_\_

☒ Postcard

☐ Power of Attorney (\_\_\_\_ pgs.)

☐ Preliminary Amendment (\_\_\_\_ pgs.)

☐ Reply Brief (\_\_\_\_ pgs.)

☒ Response to Notice of Missing Parts

☐ Small Entity Declaration for Indep. Inventor/Small Business

☐ Transmittal Letter, in duplicate

☐ Fee Transmittal, in duplicate

☒ Check No. 43867

Amt: 130.00

☒ Check No. 43868

Amt: 130.00

☒ Other: Amendment and Petition Under 37 CFR §1.47(b); Declaration of Maria McCormack Sobrino (with 4 Exhibits); copy of Notice to File Missing Parts of Nonprovisional Application (Filed Under 37 CFR 1.53(b))



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Chi-ping Nee

Street, Apt. No., or PO Box No.

10327 Hitching Post Way

City, State, Zip+4  
Santee, CA 92071

PS Form 3800, February 2000

See Reverse for Instructions

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10327 Hitching Post Way  
Santee, CA 92071

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

X Chi-ping Nee 6-11-01

C. Signature

X Chi-ping Nee ☐ Agent ☐ Addressee

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3 To

 Recipient's  
Name **Maria E. Sobrino/jkv** Phone **(408) 720-8598**

 Company **BLAKELY SOKOLOFF TAYLOR ZAFMAN**

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0154877235

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402



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**From** *Please print and attach hard*

Date 06/27/01

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1109-3568-4



Sender's Name **Maria E. Sobrino/ikv/bks** Phone **(408) 720-8598**

Company **BLAKELY SOKOLOFF TAYLOR ZAFMAN**

Address 1279 OAKMEAD PKWY

**Next Floor/Studio**

SUNNYVALE CA ZIP 94086

## 2 Your Internal Billing Reference

~~080308 P347~~

To Decipient's  
Ms. Chi-ping Nee

Name XXXXXXXXXXXXXXXXXXXX Phone ( ) XXXXXXXX

Company

Address 10327 Hitching Post Way

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5

**Santee** **CA** **92071**

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**See back for application instructions.**

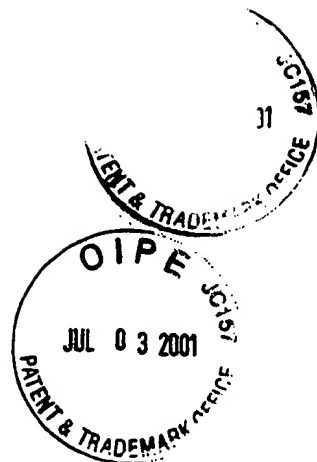
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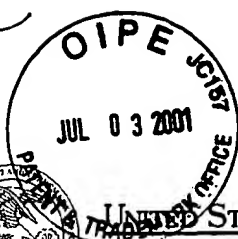
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/758,484	01/10/2001	Joseph C. Chan	80398.P347

CONFIRMATION NO. 9336

## FORMALITIES LETTER



\*OC000000006032258\*

Firasat Ali  
 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
 Seventh Floor  
 12400 Wilshire Boulevard  
 Los Angeles, CA 90025-1026

Date Mailed: 05/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/09/2001 HTECKLU1 00000071 09758484

FILED UNDER 37 CFR 1.53(b)

01 FC:105

130.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The following item(s) appear to have been omitted from the application:

- Figure(s) 7 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE